

# EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

JOHN BARNHARDT, et al.,	)	
	)	
Plaintiffs,	)	
	)	
and	)	
	)	
UNITED STATES OF AMERICA,	)	Civil Action No. 4:65-cv-01300-HTW-LRA
	)	1300(E)
Plaintiff-Intervenor,	)	
	)	
v.	)	
	)	
MERIDIAN MUNICIPAL SEPARATE	)	
SCHOOL DISTRICT, et al.,	)	
	)	
Defendants.	)	
	)	

**[PROPOSED] ORDER PRELIMINARILY APPROVING SETTLEMENT**  
**PURSUANT TO FED. R. CIV. P. 23(E)**  
**AND REQUIRING NOTICE TO THE PLAINTIFF CLASS**

The parties have jointly moved for preliminary approval by this Court of their proposed Settlement Agreement that would terminate this desegregation action. The Settlement Agreement and supporting materials have been submitted to the Court along with the Joint Motion.

The Court is of the opinion that the settlement embodied in the materials filed with the Joint Motion should be, and is hereby preliminarily, approved, subject to consideration of any objections that may be made by members of the plaintiff class.

Pursuant to the provisions of Fed. R. Civ. P. 23(e), notice of the proposed settlement and dismissal of this action, in accordance with the Settlement Agreement submitted with the Joint Motion, shall be given to the members of the plaintiff class and other community members as provided in the Notice of Proposed Settlement and Hearing on Fairness of Settlement and Unitary

Status (“Notice”) attached hereto, which shall be published as follows: at least three times in the general news section and in the legal notice section of the *Meridian Star* and also in the *Clarion-Ledger*. Additionally, the Notice (as well as the District’s Motion for Unitary Status, Settlement Agreement, the form for submitting comments and notifying the Court of an individual’s intention to speak at the Fairness Hearing, and the parties’ complete motion and accompanying memorandum) shall be made available at Office of Superintendent, 1019 25th Avenue, Meridian, Mississippi 39301, and the District’s website at: <https://www.mpsdk12.net/>.

The Court will conduct a Fairness Hearing for the purpose of (1) considering any comments on or objections to the proposed settlement by members of the plaintiff class or other members of the community, if there are any such objections, comments or requests to appear at a hearing that have been timely filed with the Court, and (2) determining whether the District has attained unitary status. The hearing shall take place on September 9, 2019, at \_\_\_\_\_, at the United States Federal Courthouse, 501 E. Court Street, Jackson, Mississippi 39201. The Court will consider the objections and comments of the public that are received by the Court and timely postmarked. The Court may hear from persons who appear at the hearing who have submitted an Objection or Comment form pursuant to the Notice.

IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2019.

HONORABLE HENRY T. WINGATE  
UNITED STATES DISTRICT JUDGE

---